

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:18 CR 94
)	
Plaintiff)	
)	CHIEF JUDGE PATRICIA A. GAUGHAN
v.)	
)	
AUDREY J. GIBSON, a.k.a.,)	<u>INFORMATION OF</u>
AUDREY J. MARTIN)	<u>PRIOR CONVICTION</u>
)	
Defendant.)	

Now comes the United States of America, by and through counsel, Justin E. Herdman, United States Attorney, and Mark S. Bennett and Danielle K. Angeli, Assistant U. S. Attorneys, and pursuant to Title 21, Sections 841(b) and 851, United States Code, hereby gives notice that upon the conviction of the defendant, AUDREY J. GIBSON, a.k.a. AUDREY J. MARTIN in any of Counts 1, 2, 3, 5, and 6 of the Superseding Indictment returned in the above-captioned case, that the United States will rely upon the previous “felony drug offense” convictions of AUDREY J. GIBSON, a.k.a. AUDREY J. MARTIN, for the purpose of invoking the increased sentencing provisions of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A), (b)(1)(B) and/or (b)(1)(C).

The previous “felony drug offense” conviction that the United States will rely upon is: Trafficking in Heroin (Felony-4), case number CR-2009-09-2827, in the Summit County Ohio, Court of Common Pleas, on or about July 9, 2010.

The United States alleges that the defendant has been convicted of at least one “felony drug offense.” The penalty provisions of Title 21, Section 841(b)(1)(A), United States Code, *(pertaining to Count 1 of the Superseding Indictment)* provide that when a defendant has previously been convicted of a “felony drug offense” the maximum penalties are increased to a mandatory minimum term of imprisonment of 20 years with a maximum term of life imprisonment, a \$20,000,000 fine, or both, and a minimum period of at least 10 years of supervised release. The penalty provisions of Title 21, Section 841(b)(1)(B), United States Code, *(pertaining to Counts 5, 6 of the Superseding Indictment)* provide that when a defendant has previously been convicted of a “felony drug offense” the maximum penalties are increased so that a defendant shall be sentenced to a term of imprisonment which may not be less than 10 years and not more than life imprisonment, a fine not to exceed the greater of twice that authorized in accordance with the provisions of Title 18 or \$8,000,000, and a term of supervised release of at least 8 years. The penalty provisions of Title 21, Section 841(b)(1)(C), United States Code, *(pertaining to Counts 2, 3 of the Superseding Indictment)* provide that when a defendant has previously been convicted of a “felony drug offense” the maximum penalties are increased to a maximum term of imprisonment of up to 30 years, a \$2,000,000 fine, or both, and a minimum period of at least 6 years of supervised release.

Respectfully submitted,

JUSTIN E. HERDMAN,
United States Attorney

By: /s/ Mark S. Bennett

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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of September, 2018, a copy of the foregoing Information of Prior Convictions was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Mark S. Bennett

Mark S. Bennett (0069823)

Assistant U.S. Attorney